

House Bill 262

By: Representatives Martin of the 47th and Stephens of the 164th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to provide for a full-day kindergarten program for
3 a minimum of 170 days per school year; to provide a short title; to change the minimum
4 number of required days in a school year for public elementary and secondary schools to 170
5 days; to change certain provisions relating to the base pay of school food and nutrition
6 personnel for purposes of conformity; to change certain provisions relating to a residential
7 high school program for gifted youth for purposes of conformity; to change the definition of
8 "school year" relating to teacher contracts for purposes of conformity; to provide for related
9 matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 This Act shall be known and may be cited as the "Flexibility for Excellence in Education
13 Act."

14 **SECTION 2.**

15 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
16 secondary education, is amended in Code Section 20-2-151, relating to general and career
17 education programs, by revising subparagraph (b)(1)(A) as follows:

18 "(1)(A) All local school systems shall offer a full-day kindergarten program. For
19 purposes of this subsection, the term 'full-day basis' means a student is provided
20 classroom instruction for a minimum of four and one-half hours daily for a 180 day
21 school year or for the equivalent number of hours for a school year of 170 or more
22 days."

SECTION 3.

Said chapter is further amended in Code Section 20-2-168, relating to distribution of federal funds, combined purchase of supplies and equipment, minimum school year, summer school programs, and year-round operation, by revising subsection (c) as follows:

"(c)(1) Except as otherwise provided in this Code section, public elementary and secondary schools of this state receiving state aid under this article shall provide each eligible student with access to no less than 170 ~~180~~ school days of education each fiscal year. ~~The State Board of Education~~ Each local board of education shall define a school year, which shall be no less than 170 ~~180~~ days of instruction in accordance with the provisions of this subsection; The State Board of Education shall define the daily average of instructional time required in a school year. ~~the length of the school day, and shall provide that all~~ All public elementary and secondary schools may be closed for instruction on November 11 of each year as determined by each local board of education to enable students, teachers, and administrators to participate in Veterans Day programs to honor veterans of the armed forces.

(2) Any provision of this subsection or this article to the contrary notwithstanding, when the President of the United States proclaims a national emergency or when the Governor proclaims a state of emergency or when, because of emergency, disaster, act of God, civil disturbance, or a shortage of vital and critical material, supplies, or fuel, the continued operation of the public schools according to the definitions of school year, school month, or school day is impractical or impossible, then the state board shall have the power to authorize local boards of education to depart from a strict interpretation of these definitions, and such departure need not be uniform throughout the state.

(3) In the event that at the end of the last complete week of the school year four or fewer days remain for completion of the regular ~~180-day~~ school year, a local board of education may, without the necessity of authorization from the state board, elect not to continue school into the following week if the additional days otherwise needed are the result of days when school was closed due to emergency, disaster, act of God, civil disturbance, or shortage of vital or critical material, supplies, or fuel. In any such case, the school year applicable to that local board of education may terminate, in the discretion of the local board, at the end of the last school day of the last complete week of the school year otherwise provided for in this Code section. The provisions of this paragraph shall not limit the authority of the state board under paragraph (2) of this subsection.

(4) Each fiscal year shall begin on July 1 and end on June 30 of the following year."

SECTION 4.

Said chapter is further amended in Code Section 20-2-187, relating to state-wide school lunch program, instruction in nutrition, hygiene, etiquette, and social graces, and school food and nutrition, by amending paragraph (2) of subsection (c) as follows:

"(2) The base payment shall be calculated on the basis of an annual number of hours (190 days multiplied by eight hours based on a 180 day school year, or an equivalent thereof) for a full-time equivalent school lunch position, multiplied by an amount not less than \$161.00 per month for 12 months. Future annual increases in the base payment shall reflect the same percentage increase provided by the state for other state funded positions. The state board shall annually establish a state performance standard and shall determine the number of full-time equivalent school lunch positions needed to plan, prepare, and serve meals based on the state performance standard and the average daily number of student lunches served during the preceding school year."

SECTION 5.

Said chapter is further amended in Code Section 20-2-306, relating to honors program and residential high school program, by revising subsection (b) as follows:

"(b) The State Board of Education is authorized to inaugurate and operate a residential high school program for highly gifted and talented youth of this state. This residential high school program shall consist only of students in the eleventh and twelfth grades. Enrollment shall be by student application and on a voluntary basis; provided, however, that the parent or legal guardian of each student must have signed an agreement authorizing enrollment in this program. This program shall be operated during the normal school year for a minimum of 170 ~~180~~ days, in cooperation with one or more of the state universities or colleges from funds provided by the General Assembly. The state board is authorized to enter into cooperative agreements with the Board of Regents of the University System of Georgia concerning the operation and sharing of costs of this program. The state board shall prescribe policy, regulations, standards, and criteria as needed for the effective operation of this program."

SECTION 6.

Said chapter is further amended in Code Section 20-2-942, relating to procedure for nonrenewal after acceptance by teacher of school year contract for fourth consecutive school year, procedure for nonrenewal by another local board of education, professional certificated personnel, rights of school administrators, and tenure, by revising paragraph (2) of subsection (a) as follows:

3 SECTION 7.